



# Howard Planning and Zoning Minutes



**MINUTES  
HOWARD COUNTY  
VARIANCE BOARD OF ADJUSTMENT  
January 20, 2016**

A meeting of the Howard County Variance Board of Adjustment was convened in open and public session on the 20<sup>th</sup> day of January, 2016 in the Assembly Room of the Howard County Courthouse, St. Paul, Nebraska.

Chairman Mike Nelson called the meeting to order at 6:30 p.m. Roll call showed 4 members present: Mike Nelson, Terry Spilinek, Chad Donscheski and Janet Thomsen. Absent were: Fred Meyer and Gary Craig. Also present were Cherri Klinginsmith, Howard County Zoning Administrator, and Lindsay Kryzcki, Secretary.

Zoning Administrator, Klinginsmith read the notice of the public meeting. An Affidavit was presented from the Phonograph-Herald dated the 6<sup>th</sup> day of January 2016 that this notice was published 10 days prior to the meeting. A proof of publication is filed in the Howard County Clerk's office.

The agenda and minutes were read to the Variance Board of Adjustment members at the meeting. A motion was made by Terry Spilinek and seconded by Janet Thomsen to approve the minutes of the May 20, 2015 meeting. The motion carried on unanimous voice vote.

Administrator Klinginsmith provided the board with a copy of the agenda for the 2015 Annual Planning & Zoning Conference to be held in Kearney, March 9-11, 2016. If any members are interested in attending the Board of Zoning Adjustment sessions, they need to let Cherri know by February 17, 2016.

At 6:40 p.m. the election of officers was discussed. Terry Spilinek made a motion to elect Mike Nelson as Chairman. Chad Donscheski seconded the motion and the motion carried by unanimous voice vote. Terry Spilinek made a motion to elect Fred Meyer as Vice-Chairman. Janet Thomsen seconded the motion and the motion carried by unanimous voice vote. Janet Thomsen made a motion to elect Gary Craig as Secretary. Terry Spilinek seconded the motion and the motion carried by unanimous voice vote.

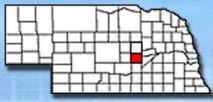
Terry Spilinek and Fred Meyer were reappointed for another term. Mike Nelson advised the board this this will be his last term. The board asked Mike to be looking for a replacement and let Cherri Klinginsmith, Administrator know if he finds someone interested in taking his place.

With there being no further business the meeting adjourned at 6:50 p.m.

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Cherri Klinginsmith, Administrator

**MINUTES  
HOWARD COUNTY PLANNING & ZONING  
January 20, 2016**



# Howard Planning and Zoning Minutes



A meeting of the Howard County Planning & Zoning Commission was convened in Open and Public session on the 20<sup>th</sup> day of January, 2016 in the Assembly Room of the Howard County Courthouse, St. Paul, Nebraska.

Chairman Terry Spilinek called the meeting to order at 7:00 p.m. The Open Meeting Act is posted in the rear of the room. Administrator Klinginsmith read the Notice of Meeting. A proof of publication is filed at the Howard County Clerk's office.

Roll call showed 5 members present: Jeff Christensen, Jack Reimers, Terry Spilinek, Chris Kosmicki, and Ken Kozisek. Those absent were: Dave Sack, Daryl Anderson, Randy Kauk, and Ron Kulwicki. Also present were Cherri Klinginsmith, Planning & Zoning Administrator, Lindsay Kryzcki, Zoning Secretary, Dave Schroeder, County Attorney and members of the public including: Dusty and Lesley Dugan.

The Agenda and Minutes were e-mailed to the Board Members prior to the meeting. A motion was made by Ken Kozisek and seconded by Jack Reimers to approve the minutes of the December 16, 2016 meeting. The motion carried on unanimous voice vote.

Administrator Klinginsmith provided the zoning board with a copy of the agenda for the 2016 Annual Planning & Zoning Conference to be held in Kearney, March 9-11, 2016. If any members are interested in attending the sessions, they need to let Cherri know by February 17, 2016.

Administrator Klinginsmith provided the board with a copy of the agenda for the 2015 Annual Planning & Zoning Conference to be held in Kearney, March 9-11, 2016. If any members are interested in attending the Board of Zoning Adjustment sessions, they need to let Cherri know by February 17, 2016.

At 7:15 p.m. the public hearing regarding the update of Howard County sign regulations was opened.

Discussion was held regarding Dusty Dugan's feedlot. Administrator Klinginsmith, informed the board that Dusty is working with NDEQ to become compliant. Which requires him to move his pens from where they are currently located to the North, due to drainage issues. With this change it will change the odor footprint, to include the current resident to be more in the center of footprint rather than the very edge. Administrator Klinginsmith explained in the regulations it states existing residences shall not further encroach more than 200 feet upon setback. Therefore Klinginsmith interprets this to mean the feedlot can do the same without additional permitting. Zoning members felt this update will be more environmentally friendly and agree with the administrator. Administrator Klinginsmith, informed the Dugan's they are free to continue on with the process of NDEQ requests. Once the changes have been made to the pens, please inform the zoning office.

At 7:30 the Public hearing for sign regulations was continued. Administrator Klinginsmith informed the zoning members to review the updated version of the sign regulations in front of them. They have been updated from 9 confusing pages to 3 pages and feel they are easier to understand. Basically stating the NDOR will enforce signage along all the highways in Howard County, excluding HWY 58. All other signs must be no larger than 32 square feet and follow the sign regulations listed without requiring a permit, unless the NDOR requires approval from Howard County. No one was present from the public to be in favor or opposed. Therefore after much discussion with the Howard County attorney present and minor changes to some wording a motion was made by Chris Kosmicki to approve the updated Howard County sign regulations and seconded by Ken Kozisek. The motion carried on unanimous voice vote of 5-0. A Finding of Fact was completed. (copy attached).

At 7:45 p.m. the election of officers was discussed. Ken Kozisek made a motion to elect Terry Spilinek as Chairman. Jack Reimers seconded the motion and the motion carried by unanimous voice vote. Chris



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Kosmicki made a motion to elect Jack Reimers as Vice-Chairman. Ken Kozisek seconded the motion and the motion carried by unanimous voice vote. Jeff Christensen made a motion to elect Daryl Anderson as Secretary. Ken Kozisek seconded the motion and the motion carried by unanimous voice vote. Daryl Anderson, Ken Kozisek and Jack Reimers were reappointed for another term.

Discussion was held regarding Julie Wright's, TLC Livestock operation. Administrator Klinginsmith stated that Julie called asking if we would look into changing the regulations from confinement for more than 6 months in any one calendar year to 5 months, for just the hog operators. Discussion was held and thoughts included: This request is from only one operator. We are unable to discriminate against different animal species, as we found out when we wrote the manure regulations. Theoretically the preparation time and clean-up time would get her to the 6 month condition, ready for the next delivery and meeting the guidelines. We now have the nuisance easement waiver form to allow someone to build within operators' odor footprint and Miss Wright she shouldn't have the problems that came up previously. It is one person, one issue, we don't know the underlying issue here and we consider her to be in compliance as of today. Therefore do not see a reason to change the regulations at this point. Klinginsmith will inform Julie Wright of the decision.

Administrator Klinginsmith informed the board members of a new animal units chart, that Greeley County may be using, and offered comparisons to our current A.U. numbers. After discussion they agreed to keep the A.U. as they are for Howard County.

At 8:10 p.m., a motion was made by Jeff Christensen and seconded by Chris Kosmicki to adjourn. The motion carried by unanimous voice vote. Next meeting attentively for February 17, 2016.

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Cherri Klinginsmith, Administrator